

REMARKS

The Official Action of February 10, 2004 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claim 3 has been canceled to remove the redundancy in view of claim 2, and thereby to remove the basis for the claim objections at page 2 of the Official Action.

The claims stand rejected under 35 USC 102(e) as allegedly being anticipated by Komatsu et al or under 35 USC 103(a) as allegedly being obvious over Komatsu et al. Applicants respectfully traverse these rejections on the basis of the earlier filing date of their parent application, USSN 09/370,783, filed August 5, 1999.

The present application is a continuation-in-part of the '783 application and all claims presently on file draw 35 USC 112, first paragraph support from the description in the earlier application. Under these circumstances, and since Applicants have complied with all applicable conditions of 35 USC 120, Applicants are entitled to the benefit of the filing date of the parent application, i.e. August 5, 1999 (see MPEP Section 201.11). By contrast, Komatsu et al has an effective date as a reference of March 9, 2000, which is **after** Applicants' effective filing date. Accordingly, Komatsu et al is not properly citable against the claims now on file and it is respectfully submitted that the rejections of record should be withdrawn for this reason.

In view of the above, it is respectfully submitted that all objections and rejections of record have been overcome and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,

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